REMARKS

This application pertains to a novel antistatic pressure-sensitive adhesive tape.

The Adhesive tape comprises a carrier layer, at least one pressure-sensitive adhesive layer, and at least one electrically conductive primer layer directly between the carrier layer and the pressure-sensitive adhesive layer. The electrically conductive primer layer provides both an antistatic function and a primer function. This electrically conductive primer layer effects electrical conductance as well as good adherence of the pressure sensitive adhesive to the carrier.

Claims 1-15 stand rejected under 35 U.S.C. 112, second paragraph, because the Examiner finds it confusing as to what is meant by "a" pressure sensitive layer in the last line of claim 1, and because of the presence of the term "preferably" in claim 3. Both of these claims have now been amended in response to the Examiner's comments, and the amended claims are believed to obviate the issues raised in the rejection. The rejection of claims 1-15 under 35 U.S.C. 112, second paragraph should therefore now be withdrawn.

Claims 1-4, 6, 7, and 11-14 stand rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over US 2003/0049437 A1 to Devaney et al. The Examiner refers specifically to Figure 3.

In Applicants' claims, the electrically conductive binder is directly between the carrier (backing) layer and the adhesive. Those skilled in the art understand that a primer provides for improved adhesion of, in this case, the adhesive to the carrier/backing layer. Applicants' primer is also electrically conductive, so as to serve an anti-static function in addition to it's primer function.

By contrast, Devaney is not concerned with any primer layer, and nowhere teaches or suggests that a primer layer can be made to be electrically conductive and serve as both a primer and electrically conductive layer, all in one. In addition. Devaney does not teach or disclose any electrically conductive layer, with or without primer function, located directly between his backing layer and his adhesive layer.

Note that in Fig. 3, backing layer 35 is adjacent to a polyester substrate 32, and not an electrically conductive binder layer. Devaney's electrically conductive layer is against the polyester substrate, not the backing, and the adhesive is coated on the conductive layer. Thus, the electrically conductive layer of the Devaney reference is not in the same position as Applicants' electrically-conductive binder layer, i.e., directly between the backing and the adhesive so as to provide for improved adhesion of the adhesive layer to the backing layer.

Furthermore, there is nothing in the Devaney reference that would suggest the changes that would be necessary to arrive at Applicants invention. Devaney does not anywhere teach or suggest the reconfiguration of his layers that would be required to arrive at Applicants' configuration, and does not anywhere teach or suggest anything

about the use of an electrically conductive primer layer. Nowhere in Devaney et al. is there anything to be found that would teach or suggest the concept of a primer layer that is electrically conductive.

Accordingly, Applicants' claims cannot be seen as anticipated or suggested by Devaney, and the rejection of claims 1-4, 6, 7, and 11-14 under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over US 2003/0049437 A1 to Devaney et al. should be withdrawn.

Claims 5, 8-10 and 15 stand rejected under 35 U.S.C. 103(a) as obvious over Devaney et al. The Examiner sees the limitations of these claims as being obvious modifications of the adhesive tape of the main claim. The differences between Applicants' invention and the disclosure of the Devaney et al reference discussed above with respect to the 102(e)/103(a) rejection apply equally well to the present rejection, and none of those differences are overcome by anything the Examiner has pointed to in the present rejection. Accordingly, the rejection of claims 5, 8-10 and 15 under 35 U.S.C. 103(a) as obvious over Devaney et al. should now be withdrawn.

In view of the present amendments and remarks it is believed that claims 1-15 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicant requests that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

Respectfully submitted,
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